

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
AT NASHVILLE**

<b>OAKWORTH CAPITAL BANK</b>	)	
	)	
<b>v.</b>	)	<b>Case No. 3:23-cv-01145</b>
	)	<b>Judge Campbell</b>
<b>RC NASHVILLE DEVELOPMENT</b>	)	<b>Magistrate Judge Holmes</b>
<b>PARTNERS, LLC and TIMOTHY J. MORRIS</b>	)	

**O R D E R**

From a review of the docket and procedural developments (or lack thereof), it appears this case is exempt from mandatory initial case management conference under Local Rule 16.01(c)(1).<sup>1</sup> Further, it appears that Plaintiff has filed various dispositive motions against the defendants, Docket Nos. 18 and 21. Plaintiff Timothy J. Morris filed a *pro se* response to the motions. Docket No. 22.<sup>2</sup>

Accordingly, the initial case management conference presently scheduled for January 9, 2023 (Docket No. 5), is **CANCELLED**. A scheduling order will be entered separately following resolution of the pending dispositive motions.

Defendant RC Nashville Development Partners must **RESPOND** to the motion for judgment on the pleadings and motion for entry of default by no later than **January 19, 2024**. The response can only be made by a licensed attorney authorized to act on behalf of Defendant RC

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<sup>1</sup> Local Rule 16.01(c)(1) provides that “[a]ll actions in which one of the parties appears pro se” are exempt from a mandatory initial case management conference.

<sup>2</sup> Defendant Morris’ response appears to be on behalf of both himself and Defendant RC Nashville Development Partners. However, RC Nashville Development Partners can only appear in this case through a licensed attorney. *See Harmer v. Colom*, No. 3:13-00286, 2014 WL 993319, at \*1 (M.D. Tenn. March 13, 2014) ( limited liability companies cannot appear in federal court except through counsel). Because there is no indication that Defendant Morris is a licensed attorney, he cannot act on behalf of RC Nashville Development Partners.

Nashville Development Partners. **Defendant RC Nashville Development Partners is cautioned that failure to timely and properly respond through a licensed attorney may result in entry of judgment against it.**

The Clerk is **DIRECTED** to send a copy of this Order by first class mail only to Defendants Timothy Morris and RC Nashville Development Partners at:


Timothy Morris  
6001 Highway A1A PMB 8359  
Vero Beach, FL 32963

Timothy Morris  
660 Ocean Road  
Vero Beach, FL 32963

RC Nashville Development Partners, LLC  
R/A: DW Services of Tennessee, LLC  
424 Church Street, Suite 800  
Nashville, TN 37219

and by email to Timothy Morris at [tim@m2developmentpartners.com](mailto:tim@m2developmentpartners.com).

It is SO ORDERED.

  
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BARBARA D. HOLMES  
United States Magistrate Judge